

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LP MATTHEWS, L.L.C.,)	
)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-1507-SLR
)	
BATH & BODY WORKS, INC.; LIMITED)	
BRANDS, INC.; KAO BRANDS CO.)	
(f/k/a THE ANDREW JERGENS)	
COMPANY); and KAO CORPORATION,)	
)	
Defendants.)	

**LP MATTHEWS, L.L.C.'S NOTICE OF APPEAL TO THE UNITED
STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Notice is hereby given that Plaintiff LP Matthews, L.L.C. ("LP Matthews") hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment of non-infringement of the Asserted Claims of U.S. Patent No. 5,063,062 ("the '062 patent") entered on November 14, 2006 (D.I. 367), and all orders, rulings and judgments underlying the November 14, 2006 Final Judgment, including but not limited to:

- 1) the Court's October 19, 2006 Order construing the term "orange oil/forty-five percent (45%) or less by volume of orange oil" (D.I. 358);
- 2) the Order entered October 19, 2006 granting Defendants Bath & Body Works, Inc.'s and Limited Brands, Inc.'s Motion for Summary Judgment of Non-Infringement of Claims 6 and 9 of the '062 patent (D.I. 363);

3) the Order entered October 19, 2006 granting Defendants Kao Brands Co.'s and Kao Corporation's Motion for Summary Judgment of Non-Infringement of Claims 6 and 9 of the '062 patent (D.I. 363); and

4) the Order entered October 19, 2006 denying LP Matthews' Cross-Motion for Summary Judgment of Infringement against Defendants Kao Brands Co. and Kao Corporation (D.I. 363).

ASHBY & GEDDES

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